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Filing date: **10/24/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92055717
Party	Plaintiff Atlantic Capes Fisheries, Inc.
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Date	10/24/2013
Attachments	Amended Notice of Settlement and Withdrawal of Petition for Cancellation.pdf(19795 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: Registration No. 3,536,673
Issued: November 25, 2008
For: HIGH SEAS GOURMET ALBACORE TUNA
Cancellation No.: 92055717

ATLANTIC CAPES FISHERIES, INC.
a New Jersey Corporation

Petitioner,

v.

MICHAEL BROWN, Individually

Registrant.

_____ /

**AMENDED NOTICE OF SETTLEMENT AND
WITHDRAWAL OF CANCELLATION WITH PREJUDICE**

Petitioner, Atlantic Capes Fisheries, Inc., hereby notifies the Trademark Trial and Appeal Board that the Parties have reached a co-existence agreement and, in accordance of the terms of the agreement, Petitioner hereby requests withdrawal of Cancellation No.: 92055717 with prejudice.

Date: October 24, 2013

Respectfully Submitted,

By: /Garrett A. Barten/
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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I, Garrett A. Barten, hereby certify that on this 24th day of October, 2013, the foregoing Amended Notice of Settlement and Withdrawal of Petition for Cancellation with Prejudice was filed electronically via ESTTA and was served on Registrant's counsel of record by U.S. Mail and email at the following address:

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By: /Garrett A. Barten/
Garrett A. Barten, Esq.

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